

United States District Court
for the
Eastern District of New York

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: **David Piller**

Case Number **98-CR-572**

Name of Sentencing Judicial Officer: **The Honorable Nina Gershon, U.S. District Judge**

Date of Original Sentence: **December 22, 1999**

Original Offense: **Bank Fraud, in violation of 18 U.S.C. 1344**

Original Sentence: **1) Fifteen (15) months imprisonment, 2) five (5) years supervised release, 3) pay a \$100.00 special assessment, 4) make restitution in the amount of \$89,902,000.00 at the rate of \$3,000.00 per month, 5) provide full business and personal financial disclosure to the U.S. Probation Department, and 6) receive mental health treatment.**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **February 9, 2001**

PETITIONING THE COURT

☐ To extend the term of supervision for years, for a total term of years.

☒ To modify the conditions of supervision as follows:

1. The offender is to make restitution in the amount of \$89,902,000.00 at the rate of \$4,500.00 per month.

CAUSE

We write to Your Honor at this time to advise that the Probation Department has completed an updated investigation into the offender's business finances and have found that the offender is capable of increasing his monthly restitution payments from \$3,000.00 to \$4,500.00. The Probation Department in conjunction with the U.S. Attorney's Office has proposed this increase in the monthly restitution amount to the offender and his defense counsel. The offender has agreed to adhere to the proposed modification to the conditions of supervised release should the court adopt the same. It should be noted, that according to records kept with the Financial Litigation Unit of the U.S. Attorney's Office for the Eastern District of New York, the offender has paid \$135,000.00 towards restitution. The outstanding restitution balance is \$115,543,780.22 including interest.

The offender has agreed to waive his right to a hearing and to sign Probation form 49, Waiver of Hearing, stipulating that he will make restitution in the amount of \$89,902,000.00 at the rate of \$4,500.00 per month.


Based upon the above, the Probation Department respectfully requests that Your Honor adopt the proposed modification to the conditions of supervised release.

Respectfully submitted by,



Luis A. Caso, CFE
Senior U.S. Probation Officer
Date: November 3, 2004

Approved by,



George V. Doerrbecker
Deputy Chief U.S. Probation Officer
Date: November 3, 2004

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

Signature of Judicial Officer

Date